

1 HONORABLE JOHN C. COUGHENOUR
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

6 UNITED STATES OF AMERICA,) CASE NO. CR16-0119-JCC
7 Plaintiff,)
8 v.) MINUTE ORDER
9 RICCO A. GRAVES, JR.,)
10 Defendant.)
11 _____)

12 The following Minute Order is made by direction of the Court, the Honorable John C.
13 Coughenour, United States District Judge:

14 This matter comes before the Court on the parties' stipulated motion to continue trial
15 (Dkt. No. 30.) Having reviewed the motion and the relevant record, the Court FINDS that:

16 1. The ends of justice served by granting this continuance outweigh the best
17 interests of the public and Defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

18 2. Proceeding to trial absent adequate time for the defense to prepare would result
19 in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i).

20 3. The defense needs additional time to review discovery and conduct an
21 investigation, in this case and related case no. CR16-0184-TSZ—in which Defendant is
22 charged with possession of cocaine base with intent to distribute, a charge that carries a
23 mandatory minimum term of five years of imprisonment—which would make it unreasonable
24 to expect adequate preparation for pretrial proceedings or for trial itself within the time limits
25 established by the Speedy Trial Act and currently set for this case. 18 U.S.C.
26 § 3161(h)(7)(B)(ii).

4. Taking into account the exercise of due diligence, a continuance is necessary to allow Defendant the reasonable time for effective preparation of his defense. 18 U.S.C. § 3161(h)(7)(B)(iv).

5. Defendant has filed a speedy trial waiver consenting to a continuance of his trial to any date up to and including January 31, 2017. (Dkt. No. 31 at 1.)

The Court ORDERS that the trial date is continued from August 29, 2016, to December 12, 2016, and that the period of delay from the date of this order to the new trial date is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B).

IT IS FURTHER ORDERED that Defendant's motion to dismiss (Dkt. No. 28) is re-noted for November 4, 2016, with any response by the Government due November 3, 2016.

DATED this 28th day of July 2016.

William M. McCool

Clerk of Court

s/Paula McNabb

Deputy Clerk